

## **REMARKS**

The Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action mailed March 10, 2005. The recognition of allowable subject matter in **claims 15-17, 30-34, 47-49 and 56-57** is noted with appreciation. Nevertheless, amendment, reexamination and reconsideration of the application are respectfully requested.

### **The Office Action**

In the Office Action mailed March 10, 2005:

**claims 15-17, 30-34, 47-49, 56 and 57** were allowed;

**claims 5-9, 18-20, 22-26, 29, 30-40 and 44-46** were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,802,160 to Kugell, et al. ("Kugell") in view of U.S. Patent No. 5,644,624 to Caldwell ("Caldwell");

**claims 10-11 and 13** were rejected under 35 U.S.C. §103(a) as being unpatentable over Kugell; and

**claims 21, 27 and 50-55** were rejected under 35 U.S.C. §103(a) as being unpatentable over Kugell, Caldwell and further in view of U.S. Patent No. 5,206,901 to Harlow, et al. ("Harlow").

### **The Present Application**

By way of brief review, the present application is directed to systems, apparatuses and methods for the automatic setup and teardown of conferencing services in a multiple leg telecommunications session. Where the invention is available, a telecommunications services subscriber may dial a primary or pilot directory number associated with a predefined list of secondary directory numbers that can be configured to be associated with a conferencing mode. This primary call leg from the subscriber is received at a communications network element, such as, a switch or switching center. The switching center may be, for example, a wire line or mobile switching center. The receiving element accesses a database to determine, among other things, the state of a conference mode parameter. If the conference mode parameter indicates the primary directory number is currently configured for conference mode, call legs are set up in association with each secondary directory number associated with a secondary directory number conference parameter set to a conference mode. The system monitors call progress on each of the secondary call legs. Unanswered call legs can be

dropped based on a predetermined no answer parameter or time limit. In some embodiments, the call legs are set up differentially. In some embodiments, the device receiving the primary call leg may retry secondary directory numbers for which call legs were unanswered when the conference call was first established. For example, unanswered call legs can be retried after a predetermined period of time has elapsed. In some embodiments, the subscriber is provided with an interface for establishing the predefined list of secondary directory numbers and parameters associated therewith. For instance, the interface may include a web page or a menu navigated through dialed digits using a wire line or wireless telephone.

### **The Newly Cited Reference**

In stark contrast, the newly cited reference of the Office Action to Caldwell allegedly discloses a system which repeatedly places selected calls and plays selected prerecorded messages whenever a call is answered. Processors provide the capability of recognizing the results of each call as to whether the call has reached a number which is busy or is answered, and also as to whether the call is answered by a person or by an answering machine. In response to recognition signals, the system, at the appropriate time, plays a selected message. When a call has been successfully completed, the called number will be removed from a number queue within the system, and the system will record the time and date of the completion. Numbers remaining in the queue will be recalled until successfully completed. The number of unsuccessful recalls and the time at which each call was made is also recorded by the system. The system is programmed to make calls during selected time periods. (Abstract)

It is respectfully submitted that Caldwell does not disclose or suggest conference calling. Caldwell does not disclose or suggest that a network element, such as, a switch or switching center, can or should be adapted to retry unanswered call legs in a multi-leg telecommunications conference session. It is respectfully submitted that one concerned with providing improved conference call services implemented through communications network elements, such as, for example, switches and switching centers, would not look to Caldwell, and Caldwell is non-analogous art with respect to the claims of the present application.

### **The Claims Are Not Obvious**

**Claims 5-9, 18-20, 20-26, 29, 37-40 and 44-46** were rejected under 35 U.S.C.

§103(a) as being unpatentable over Kugell in view of Caldwell.

Regarding **claim 5**, the Office Action stipulates that Kugell does not disclose processing and routing a second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered outgoing call leg when a predetermined time has elapsed and relies on Caldwell for such disclosure.

However, it is respectfully submitted that Caldwell allegedly discloses a control box which is connected to an individual telephone in a manner similar to that of a typical telephone answering machine (column 2, lines 48-50). As such, it is respectfully submitted that Caldwell discloses customer premise equipment and does not disclose or suggest modifications or implementations of telephone or communications network equipment such as a switch or switching center. Furthermore, it is respectfully submitted that Caldwell does not disclose or suggest when a retried or second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered call leg has been answered connecting the second outgoing call leg to an incoming call leg for a multiple leg telecommunication conferencing session. Caldwell is unconcerned with multiple leg telecommunication conferencing sessions. Instead, it is respectfully submitted that Caldwell discusses retrying an unanswered primary directory number in order to play a recorded message. As such, it is respectfully submitted that Caldwell does not cure the deficiencies of Kugell.

Furthermore, **claim 5** has been amended to recite receiving an incoming call leg at a switching center and when a second predetermined period of time has elapsed during the multi-leg telecommunications conferencing session, the switching center processing and routing a second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered outgoing call leg. It is respectfully submitted that Caldwell does not disclose or suggest a second predetermined period of time elapsing during a multi-leg telecommunication conferencing session or a switching center processing and routing a second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered call leg.

For at least the foregoing reasons, it is respectfully submitted that **claim 5**, as well as **claims 6-9**, which depend therefrom, is not anticipated and is not obvious in light of Kugell and Caldwell taken alone or in any combination.

Additionally, **claims 6 and 7** make reference to the second (or retried) outgoing call leg. In explaining the rejection of **claims 6 and 7**, the Office Action makes

reference to Kugell. However, as stipulated by the Office Action, Kugell does not disclose or suggest processing and routing a second outgoing call leg to a corresponding secondary directory number associated with the previously unanswered outgoing call leg. Therefore, it is respectfully submitted Kugell cannot disclose or suggest the subject matter of **claims 6 and 7**.

Regarding **claims 8-9, 18-19, 24-25, 37-38 and 44-45**, the Office Action stipulates that Kugell does not suggest terminating the multiple-leg telecommunication conference session upon termination of the incoming call leg, or a penultimate call leg remaining from a plurality of call legs forming a multiple leg telecommunication conferencing session. The Office Action simply asserts that terminating the conference session upon a penultimate call leg being terminated is obvious and well known in the art. However, this assertion is respectfully traversed and evidence is respectfully requested (MPEP 2144.03). For example, it is respectfully submitted that conference systems may well depend upon the final conferee to hang up and terminate the conference call that way, without making provision for terminating the conference call when the penultimate call leg is terminated. Additionally, conferencing systems might not terminate when the incoming call leg is terminated; opting instead to allow remaining conferees to continue their conversation. It is respectfully submitted that the only disclosure or suggestion to terminate a conference call upon the termination of a penultimate call leg or upon termination of the incoming call leg of record is found in the present application.

For at least the foregoing additional reasons, it is respectfully submitted that **claims 8-9, 18-19, 24-25, 37-38 and 44-45** are not anticipated and are not obvious in light of Kugell.

**Claim 22** was rejected for the same reasons as discussed with respect to **claim 5**. Arguments similar to those submitted in support of **claim 5** are submitted in support of **claim 22**. It is respectfully submitted that disclosure of a control box which is connected to an individual telephone in a manner similar to that of a typical answering machine in Caldwell (column 2, lines 48-50) does not disclose or suggest a switching center coupled to a database, the switching center having an interface for receiving an incoming call leg designating a primary directory number and including instructions to process and route a second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered outgoing call leg when a second predetermined period of time has elapsed, or to monitor answering of the second

outgoing call leg and when the second outgoing call leg has been answered, to connect the second outgoing call leg to the incoming call leg for a multiple leg telecommunication conferencing session as recited in **claim 22**. Therefore, it is respectfully submitted that Caldwell does not remedy the deficiencies of Kugell.

For at least the foregoing reasons, **claim 22**, as well as **claims 18-21** and **23**, which depend therefrom, is not anticipated and is not obvious in light of Kugell and Caldwell taken alone or in any combination.

Regarding **claims 20** and **26**, the Office Action stipulates that Kugell does not disclose that a database is a home location register and asserts that the home location register is inherent in mobile communication and has the same function as the database in the switching network. However, it is respectfully submitted that home location registers do not have the same function as the database in the switching network disclosed in Kugell. For example, it is respectfully submitted that home location registers include information and services associated with mobility that are not required or included in the database of Kugell. Furthermore, that home location registers exist does not disclose or suggest that home location registers be modified or adapted in accord with the subject matter recited in **claims 20** and **26**.

For at least the foregoing additional reasons, **claims 20** and **26** are not anticipated and are not obvious in light of Kugell and Caldwell taken alone or in any combination.

**Claims 23** and **40** were rejected for the same reasons as discussed with regard to **claim 6**. Arguments similar to those submitted in support of **claim 6** are submitted in support of **claims 23** and **40**.

**Claim 29** was rejected for the same reasons as discussed with respect to **claim 22**. Arguments similar to those submitted in support of **claim 22** are submitted in support of **claim 29**. Additionally, the Office Action stipulates that Kugell does not disclose providing an interface to the database and asserts it would have been obvious to one of ordinary skill in the art at the time the invention was made that one could add or delete numbers from the list stored at the telephone company via some kind of interface. However, the assertions of the Office Action are respectfully traversed and citation to a reference indicating that it is obvious to provide an interface to a subscriber to a telephone network database for subscriber determination of the plurality of secondary directory numbers is respectfully requested (MPEP 2144.03). Furthermore, it is noted that it appears that providing such an interface was not obvious to Kugell, et

al.

For at least the foregoing reasons, it is respectfully submitted that **claim 29**, as well as **claims 24-27**, which depend therefrom, is not anticipated and is not obvious in light of Kugell and Caldwell taken alone or in any combination.

**Claim 39** was rejected for the same reason as discussed with respect to **claim 22**. Arguments similar to those submitted in support of **claim 22** are submitted in support of **claim 39**.

For at least the foregoing reasons, **claim 39**, as well as **claims 37-38** and **40**, which depend therefrom, is not anticipated and is not obvious in light of Kugell and Caldwell taken alone or in any combination.

**Claim 46** was rejected for the same reasons as discussed with respect to **claims 29** and **39**. Arguments similar to those submitted in support of **claims 29** and **30** are submitted in support of **claim 46**.

For at least the foregoing reasons, **claim 46**, as well as **claims 44** and **45**, which depend therefrom, is not anticipated and is not obvious in light of Kugell and Caldwell taken alone or in any combination.

**Claims 10-11** and **13** were rejected under 35 U.S.C. 103(a) as being unpatentable over Kugell. In explaining the rejection of **claim 13**, the Office Action, again, stipulates that Kugell does not disclose providing an interface to a database. In this regard, arguments similar to those submitted in support of **claim 29** are submitted in support of **claim 13**. The assertion of the Office Action that it would have been obvious to provide an interface to a telephone company database is respectfully traversed.

For at least the foregoing reasons, **claim 13**, as well as **claims 10-11**, which depend therefrom, is not anticipated and is not obvious in light of Kugell.

Additionally, **claims 10** and **11** recite subject matter similar to that recited in **claims 8** and **9**. Arguments similar to those submitted in support of **claims 8** and **9** are submitted in support of **claims 10** and **11**.

For at least the foregoing additional reasons, **claims 10** and **11** are not anticipated and are not obvious in light of Kugell.

**Claims 21, 27** and **50-55** were rejected under 35 U.S.C. 103(a) as being unpatentable over Kugell, Caldwell and further in view of Harlow. In explaining the rejections of **claims 21** and **27**, the Office Action stipulates that Kugell does not disclose a mobile switching center and relies on Harlow for such disclosure. However,

Harlow does not disclose or suggest conference calling. Instead, Harlow discloses a method and apparatus for alerting multiple telephones for an incoming call. In the system of Harlow, the handling switch is notified as to which alerted telephone has an off-hook appearance first, and the incoming call is routed to that telephone (Abstract). Harlow indicates that a switch can be a mobile switch **130**. However, it is respectfully submitted that even the multiple alerting of Harlow is not disclosed or suggested to be carried out by the SSP **130** of Harlow. Instead, it is respectfully submitted that Harlow discloses the multiple alerting being carried out by the switching service point **110** (e.g., column 4, line 47 – column 5, line 10). Therefore, it is respectfully submitted that Harlow does not cure the deficiencies of Kugell.

For at least the foregoing additional reasons, **claims 21 and 27** are not anticipated and are not obvious in view of Kugell, Caldwell and Harlow taken alone or in any combination.

**Claim 52** was rejected for the same reasons as **claim 39**. Additionally, the Office Action relies on Harlow for disclosure of a mobile switching center having an interface and asserts that a home location register and conference bridge are inherent. However, it is respectfully submitted that Harlow does not disclose or suggest even that SSP **130** provide multiple alerting service. Instead, SSP **130** is used to cause ringing on just the cellular telephone **136** (column 5, lines 39-48). Additionally, arguments similar to those submitted in support of **claim 39** are submitted in support of **claim 52**.

For at least the foregoing reasons, it is respectfully submitted that **claim 52**, as well as **claim 50**, which depends therefrom, is not anticipated and is not obvious in light of Kugell, Caldwell and Harlow taken alone or in any combination.

**Claim 53** was rejected for the same reasons as discussed with respect to **claims 52 and 13**. Arguments similar to those submitted in support **claims 52 and 13** are submitted in support of **claim 53**.

Regarding **claims 50-51**, the Office Action stipulates that Kugell does not disclose the reception of a LocationRequest containing a pilot directory number, the home location register transmitting an ANSI-41 compatible LocationRequest RETURN RESULT to the mobile switching center, the ANSI-41 compatible LocationRequest RETURN RESULT containing a list of each secondary directory number, the conference parameter and corresponding routing, answering and terminating parameters for each secondary directory number. However, the Office Action asserts that the use of ANSI-41 protocol is obvious at least in the mobile communications.

However, it is respectfully submitted that the adaptation of ANSI-41 and/or the adaptation of the LocationRequest and LocationRequest RETURN RESULT messages as recited in **claims 50 and 51** is not necessarily obvious, and the rejection is respectfully traversed.

For at least the foregoing additional reasons, **claims 50 and 51** are not anticipated and are not obvious in light of Kugell, Caldwell and Harlow taken alone or in any combination.

**Claims 54 and 55** were rejected for the same reasons as discussed with respect to **claims 8 and 9**. Arguments similar to those submitted in support of **claims 8 and 9** are submitted in support of **claims 54 and 55**.

#### **Telephone Interview**

In the interests of advancing this application to issue the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.



### CONCLUSION

Claims 5-11, 13, 15-27, 29-34, 37-40, 44-57 remain in the application. Claims 15-17, 30-34, 47-49, 56 and 57 were allowed. For at least the foregoing reasons, it is respectfully submitted that the remaining claims are in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

Respectfully submitted,

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June 8, 2005  
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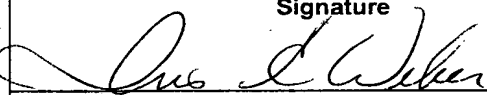
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